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Attorney's Docket No.: S01415.70009/SJH/DPM

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5-14-02

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barry, et al.  
Serial No: 09/759,719  
Filed: January 12, 2001  
For: ENCODING SIGNALING INFORMATION AT A PHYSICAL  
LAYER OF A NETWORK PROTOCOL  
Examiner: Not yet assigned  
Art Unit: 2642

Commissioner For Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is/are the following document(s):

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 with cited references
- ☒ Return Receipt Postcard

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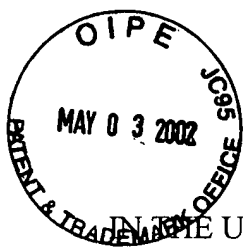
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No fee is enclosed. If a fee is necessary, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Barry, et al., Applicant(s)*

Daniel P. McLoughlin, Reg. No. 46,066  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Attorneys for Applicant(s)

Docket No. S01415.70009/SJH/DPM  
Dated: May 3, 2002  
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STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application.

<u>Serial No.</u>	<u>Filing Date</u>	<u>Title of Application</u>	<u>Attorney Docket No.</u>
09/610,510	01/12/2001	Service Discovery Using a User Device Interface to an Optical Transport Network	S01415.70010
09/760,013	01/12/2001	Signaling Using a User Device Interface to an Optical Transport Network	S01415.70011
09/760,015	01/12/2001	Creating an Optical Trail Across an Optical Transport Network in Response to Network Traffic Between Network Devices External to the Optical Transport Network	S01415.70012

PART III: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Barry et al., Applicant(s)*

By: 

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Docket No. S01415.70009.SJH/DPM

Dated: May 3, 2002

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